

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ALDO VERA, JR., as Personal Representative
of the Estate of Aldo Vera, Sr.,

Plaintiff,

vs.

THE REPUBLIC OF CUBA,

Defendant.

12 Civ. 1596 (AKH)

ALDO VERA, JR., as Personal Representative
of the Estate of Aldo Vera, Sr., et al.,

Petitioners,

vs.

BANCO BILBAO VIZCAYA ARGENTARIA (S.A.), et al.,

Respondents/Garnishees.

HSBC BANK USA, N.A.,

Respondent-Garnishee and
Stakeholder/Third-Party Petitioner,

vs.

BANCO BILBAO VIZCAYA ARGENTARIA, S.A.,
et al.,

Third-Party Respondents/
Adverse Claimants.

**ANSWER OF BANCO BILBAO VIZCAYA ARGENTARIA, S.A. TO THIRD-PARTY
PETITION ALLEGING CLAIMS IN THE NATURE OF INTERPLEADER**

Respondent Banco Bilbao Vizcaya Argentaria, S.A. (“BBVA”), by and through their attorneys, White & Case LLP, for their Answer to the Third-Party Petition Alleging Claims in the Nature of Interpleader (“Third-Party Petition”), dated March 12, 2014, states as follows:

1. BBVA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 1.

2. BBVA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 2.

3. BBVA admits the allegations in Paragraph 3.

4. BBVA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 4.

5. BBVA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 5.

6. BBVA denies the allegations in Paragraph 6.

7. BBVA denies the allegations in Paragraph 7.

8. BBVA admits the allegations in Paragraph 8.

9. BBVA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 9.

10. BBVA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 10.

11. BBVA admits the allegations in Paragraph 11.

12. BBVA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 12.

FIRST AFFIRMATIVE DEFENSE

13. This Court lacks subject matter jurisdiction over this action under the Foreign Sovereign Immunities Act, 28 U.S.C. § 1605 et seq.

WHEREFORE, BBVA respectfully prays that the Court dismiss this action for lack of subject matter jurisdiction and award such other and further relief as the Court deems just and proper.

Dated: New York, New York
July 18, 2014

WHITE & CASE LLP

By: /s/ Kenneth A. Caruso
Kenneth A. Caruso

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Attorneys for BBVA